



February 20, 2009

---

## SENATE BILL No. 564

---

DIGEST OF SB 564 (Updated February 18, 2009 4:40 pm - DI 87)

**Citations Affected:** IC 36-7.

**Synopsis:** Standards for vacant structures. Before January 1, 2010, requires the health and hospital corporation in a county having a consolidated city to adopt maintenance and repair standards for the consolidated city for purposes of the unsafe building laws.

**Effective:** July 1, 2009.

---

### Breaux, Boots

---

January 20, 2009, read first time and referred to Committee on Local Government.  
February 19, 2009, amended, reported favorably — Do Pass.

---

C  
o  
p  
y

SB 564—LS 7273/DI 73+



February 20, 2009

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

## SENATE BILL No. 564

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 36-7-9-4.5 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 4.5. (a) In Indiana,  
3 especially in urban areas, there exist a large number of unoccupied  
4 structures that are not maintained and that constitute a hazard to public  
5 health, safety, and welfare.  
6 (b) Vacant structures often become dilapidated because the  
7 structures are not maintained and repaired by the owners or persons in  
8 control of the structures.  
9 (c) Vacant structures attract children, become harborage for vermin,  
10 serve as temporary abodes for vagrants and criminals, and are likely to  
11 be damaged by vandals or set ablaze by arsonists.  
12 (d) Unkept grounds surrounding vacant structures invite dumping  
13 of garbage, trash, and other debris.  
14 (e) Many vacant structures are situated on narrow city lots and in  
15 close proximity to neighboring structures, thereby increasing the risk  
16 of conflagration and spread of insect and rodent infestation.  
17 (f) Vacant, deteriorated structures contribute to blight, cause a

SB 564—LS 7273/DI 73+



C  
o  
p  
y

1 decrease in property values, and discourage neighbors from making  
2 improvements to properties.

3 (g) Structures that remain boarded up for an extended period of time  
4 also exert a blighting influence and contribute to the decline of the  
5 neighborhood by decreasing property values, discouraging persons  
6 from moving into the neighborhood, and encouraging persons to move  
7 out of the neighborhood.

8 (h) Vacant structures often continue to deteriorate to the point that  
9 demolition of the structure is required, thereby decreasing available  
10 housing in a community and further contributing to the decline of the  
11 neighborhood.

12 (i) The blighting influence of vacant, deteriorated structures  
13 adversely affects the tax revenues of local government.

14 (j) The general assembly finds that vacant, deteriorated structures  
15 create a serious and substantial problem in urban areas and are public  
16 nuisances.

17 (k) In recognition of the problems created in a community by vacant  
18 structures, the general assembly finds that vigorous and disciplined  
19 action should be taken to ensure the proper maintenance and repair of  
20 vacant structures and encourages local governmental bodies to adopt  
21 maintenance and repair standards appropriate for the community in  
22 accordance with this chapter and other statutes.

23 **(l) This subsection applies only to a county having a**  
24 **consolidated city. The health and hospital corporation established**  
25 **under IC 16-22-8 shall, before January 1, 2010, adopt rules**  
26 **establishing model maintenance and repair standards for the**  
27 **consolidated city for purposes of this chapter.**

C  
o  
p  
y



## COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill No. 564, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, line 23, delete "(l) The state department of health" and insert **"(l) This subsection applies only to a county having a consolidated city. The health and hospital corporation established under IC 16-22-8"**.

Page 2, line 24, delete "under IC 4-22-2 to specify" and insert **"establishing"**.

Page 2, line 25, delete "that a local governmental body may use in" and insert **"for the consolidated city for purposes of this chapter."**.

Page 2, delete lines 26 through 31.

and when so amended that said bill do pass.

(Reference is to SB 564 as introduced.)

LAWSON C, Chairperson

Committee Vote: Yeas 11, Nays 0.

C  
o  
p  
y

